

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CRAIG M. WALKER, On Behalf of the
Clifford Chance US LLP 401(k) Plan, and
Himself and All Others Similarly Situated,

No. 15-cv-01959 (PGG)

Plaintiff,

v.

MERRILL LYNCH & CO. INC., BANK OF
AMERICA CORPORATION, MERRILL LYNCH
BANK & TRUST FSB, CAPITAL STRATEGIES
INVESTMENT GROUP,

Defendants.
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**NOTICE OF CAPITAL STRATEGIES INVESTMENT GROUP'S
MOTION TO DISMISS, OR, IN THE ALTERNATIVE,
TO STRIKE CLASS ALLEGATIONS**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, defendant Capital Strategies Investment Group will move this Court, before the Honorable Paul G. Gardephe, United States District Judge, at the United States Courthouse for the Southern District of New York, 40 Foley Square, New York, New York 10007, at a time to be determined by the Court, for an Order, pursuant to Federal Rule of Civil Procedure 12(b)(6), dismissing the claims against Defendants with prejudice, or, in the alternative, striking the class allegations pursuant to Federal Rule of Civil Procedure 23(d)(1)(D), and awarding any other appropriate relief.

Date: July 28, 2016

/s/ Marissa R. Parker

Marissa R. Parker

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*Attorneys for Defendant Capital Strategies
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CERTIFICATE OF SERVICE

I, Marissa R. Parker, hereby certify that, on July 28, 2016, I caused the foregoing Motion and accompanying Proposed Order and Memorandum of Law to be served on Plaintiff and all counsel of record by filing the same with the Court using the CM/ECF system which will send electronic notices of the filing to Plaintiff and all counsel of record.

/s/ Marissa R. Parker

Marissa R. Parker